

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
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This document relates to:

Celestine Kone, et al. v. Islamic Republic of Iran, No. 1:23-cv-05790 (GBD)(SN)

Danielle Kelly, et al. v. Islamic Republic of Iran, No. 1:23-cv-07283 (GBD)(SN)

[PROPOSED] ORDER OF PARTIAL FINAL JUDGMENTS IN THE ABOVE-CAPTIONED MATTERS FOR LIABILITY FOR *KONE* AND *KELLY* PLAINTIFFS AND FOR DAMAGES ON BEHALF OF THE PLAINTIFFS IDENTIFIED IN THE ATTACHED EXHIBITS

Upon consideration of the default judgment motion cover sheet attached as Exhibit A as required by the Court’s September 22, 2023 Order at ECF No. 9355 and the other evidence and arguments submitted by Plaintiffs identified in Exhibit B and Exhibit C to this Order through their Motion for Partial Final Judgment against the Defendant Islamic Republic of Iran (“Iran”), as to liability for all Plaintiffs named in *Celestine Kone, et al. v. Islamic Republic of Iran*, No. 1:23-cv-05790 (GBD)(SN) and *Danielle Kelly, et al. v. Islamic Republic of Iran*, No. 1:23-cv-07283 (GBD)(SN), and as to damages for certain Plaintiffs in the above-captioned matters who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001, as specifically identified in attached Exhibit B, or who are each an estate of an individual who was killed in the terrorist attacks on September 11, 2001, as specifically identified in the attached Exhibit C; together with the entire record in this case, it is hereby:

ORDERED that service of process was properly effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants; and it is further

ORDERED that the motion for judgment by default against Iran on behalf of the Plaintiffs in the above-captioned matters is **GRANTED** and judgments as to liability are entered in favor of all plaintiffs against Iran in the following cases:

CASE NAME	CASE NUMBER
<i>Celestine Kone, et al. v. Islamic Republic of Iran</i>	No. 1:23-cv-05790 (GBD)(SN)
<i>Danielle Kelly, et al. v. Islamic Republic of Iran</i>	No. 1:23-cv-07283 (GBD)(SN)

; and it is further

ORDERED that partial final damages judgments are entered against Iran on behalf of those Plaintiffs in the above-captioned matters who are identified in the attached Exhibit B who are each a spouse, parent, child or sibling (or the estate of a spouse, parent, child, or sibling) of individuals killed in the terrorist attacks on September 11, 2001, as indicated in Exhibit B; and it is further

ORDERED that Plaintiffs identified in Exhibit B are awarded solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibit B; and it is further

ORDERED that partial final damages judgments are entered against Iran on behalf of the Plaintiffs in the above-captioned matters, as identified in the attached Exhibit C, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in the attached Exhibit C; and it is further

ORDERED that Plaintiffs identified in the attached Exhibit C are awarded compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in the attached Exhibit C; and it is further

ORDERED that Plaintiffs identified in the expert reports submitted in support of the Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration") are awarded economic damages

as set forth in the attached Exhibit C and as supported by the expert reports and analyses tendered in conjunction with the Goldman Declaration; and it is further

ORDERED that Plaintiffs identified in Exhibit B and Exhibit C are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is further

ORDERED that Plaintiffs identified in Exhibit B and Exhibit C may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

ORDERED that the remaining Plaintiffs in the above-captioned matters not appearing in Exhibit B and Exhibit C may submit in later stages applications for damages awards (to the extent such awards have not previously been ordered), and to the extent such plaintiffs are similarly situated to those appearing in Exhibit B and Exhibit C, the applications will be approved consistent with those approved herein for the Plaintiffs appearing in Exhibit B and Exhibit C.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 10237.

SO ORDERED:

GEORGE B. DANIELS
United States District Judge

Dated: New York, New York
_____, 2024